

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,

Case No. 24-cv- _____

Plaintiff,

v.

\$104,900.25 IN U.S. CURRENCY,

Defendant

VERIFIED COMPLAINT FOR FORFEITURE *IN REM*

The plaintiff, United States of America, through its attorneys Andrew M. Luger, United States Attorney for the District of Minnesota, and Quinn Askew, Assistant United States Attorney, in a civil cause of action for forfeiture, alleges as follows in accordance with Supplemental Rule G(2) of the Federal Rules of Civil Procedure:

NATURE OF THE ACTION

1. This is an action to forfeit and condemn to the use and benefit of the United States of America \$104,900.25 in United States currency seized from 678 Orange Avenue East, Saint Paul, Minnesota, on June 28, 2021 for violations of 21 U.S.C. § 841 *et. seq.*

THE DEFENDANT *IN REM*

2. The defendant *in rem* is \$104,900.25 in U.S. Currency (“the Defendant Currency”) seized from Richard Finch on June 28, 2021. The Defendant Currency is in the custody of the United States Marshals Service.

JURISDICTION AND VENUE

3. Plaintiff brings this action *in rem* in its own right to forfeit and condemn the Defendant Currency. This Court has jurisdiction over an action commenced by the United States under 28 U.S.C. § 1345 and over an action for forfeiture under 28 U.S.C. § 1355(a).

4. This Court has *in rem* jurisdiction over the Defendant Currency under 28 U.S.C. § 1355(b). Upon the filing of this Complaint, the Plaintiff requests that the Clerk of Court issue an arrest warrant *in rem* pursuant to Supplemental Rule G(3)(b)(i), which the Plaintiff will execute upon the Defendant Currency pursuant to 28 U.S.C. § 1355(d) and Supplemental Rule G(3)(c).

5. Venue is proper in the District of Minnesota pursuant to 28 U.S.C. § 1355(b)(1) because acts or omissions giving rise to the forfeiture occurred in this District, and pursuant to 28 U.S.C. § 1395 because the Defendant Currency is located in this District.

FACTS

6. In 2021, a law enforcement investigation of a drug trafficking organization revealed several businesses being used as “front” businesses to ship thousands of pounds of marijuana and bulk currency between Minnesota and California.

7. One of these businesses was D & D Systems LLC, which was a warehouse located at 1400 Energy Park Dr, #7, Saint Paul, Minnesota.

8. D & D Systems LLC’s registered business officer was Joshua Finch.

9. D & D Systems LLC’s registered agent address was 678 Orange Avenue East, Saint Paul, Minnesota.

10. The property located at 678 Orange Avenue East, Saint Paul, Minnesota was a house owned by Richard Finch.

11. Richard Finch is Joshua Finch’s uncle.

12. Richard Finch has a 1991 criminal conviction for felony theft and a 1994 criminal conviction for possession of marijuana.

13. Richard Finch operates two business entities: East Side Pizzeria and Finch Investment Group.

14. On June 28, 2021, law enforcement searched Richard Finch’s house located at 678 Orange Avenue East, Saint Paul, Minnesota, pursuant to a warrant (21-mj-471 (TNL)).



15. Upon entry to the house, law enforcement could smell the odor of marijuana.

16. One individual, Cameron Menchaca, was present during the search of the house.

17. Cameron Menchaca has no criminal history.

18. Cameron Menchaca is the son of Yolanda Menchaca.

19. Yolanda Menchaca was engaged to homeowner Richard Finch.

20. Yolanda Menchaca has a 2009 criminal conviction for 1st degree drug sales of at least 50 grams of PCP.

21. Cameron Menchaca's bedroom was on the main floor of the house.

22. In the master bedroom, located upstairs, law enforcement found 29 jars of a substance that later tested positive for marijuana. Test results show these jars contained 18.20 lbs of marijuana.



23. Each jar of marijuana was labeled with the strain of marijuana it contained.

24. The strains labeled on the jars were the same as the strains found in the D & D Systems LLC's warehouse at 1400 Energy Park Dr, #7, Saint Paul, Minnesota.¹

25. In a small room outside of the master bedroom, law enforcement found a Beretta 12 gauge shotgun; a Browning 300 Win Mag with serial number 62648M9; a Sig Sauer 9mm, model # P3655AS, with serial number 66B360130; a Thompson Center Arms 45 Colt/410 with serial number 129727; a Smith & Wesson 9mm with serial number FYR0344 and one 10 round magazine; and two Sig Sauer magazines with assorted amount of ammunition.

¹ A search warrant was executed at the warehouse the same day. During execution of that warrant, law enforcement seized over 600 lbs of marijuana and 1,000 lbs of edibles and liquid vapor originating from California.

26. In a second bedroom upstairs, law enforcement found two groupings of U.S. Currency, one under the lower right dresser drawer and the other under the lower left dresser drawer. Collectively, these represent the Defendant Currency.

27. The Defendant Currency was stored in separate bundles with rubber bands:



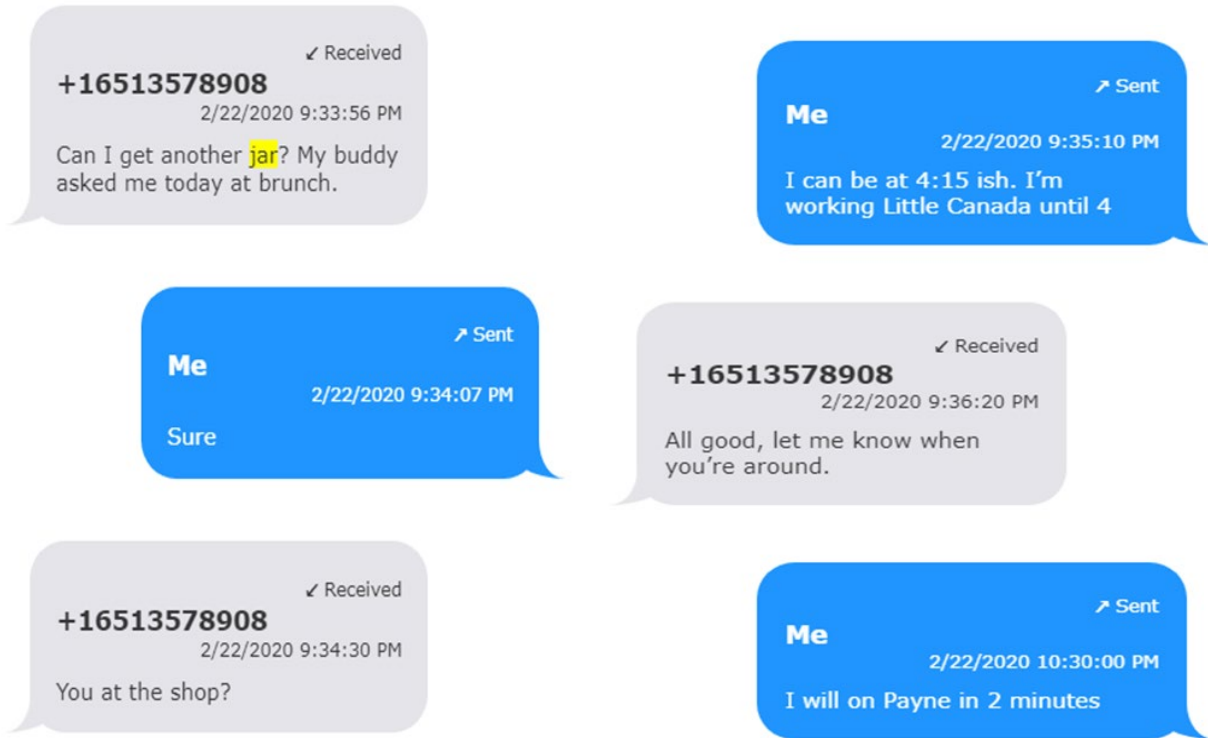
28. Richard Finch's computer was seized from the house at 678 Orange Avenue East, Saint Paul, Minnesota.

29. Richard Finch's computer contained a back-up of his cellphone.

30. The back-up of Richard Finch's cellphone revealed text messages with individuals asking to purchase marijuana.

31. The marijuana-related text messages went as far back as 2020.

32. The text messages indicated Richard Finch sold marijuana out of the East Side Pizzeria:



33. Law enforcement analyzed Richard Finch's personal and business bank accounts.

34. Income generated from Richard Finch's real estate business was deposited via checks and wire transfers and minimal cash was withdrawn.

35. Income generated from Richard Finch's pizza business account included cash and credit card deposits and minimal cash was withdrawn.

BASIS FOR FORFEITURE

36. The Defendant Currency is subject to forfeiture pursuant to 21 U.S.C. § 881(a)(6) because it was furnished or intended to be furnished in exchange for a controlled substance, constitutes proceeds traceable to such an

exchange, or was used or intended to be used to facilitate a violation of the Controlled Substances Act.

CLAIM FOR RELIEF

37. The plaintiff requests that the Court issue a warrant for the arrest and seizure of the Defendant *in rem*, that notice of this action be given to all persons who reasonably appear to be potential claimants of interests in the Defendant *in rem*, that the Defendant *in rem* be forfeited and condemned to the United States of America, that the plaintiff be awarded its costs and disbursements in this action, and for such other and further relief as this Court deems proper and just.

Dated: July 10, 2024

ANDREW M. LUGER
United States Attorney

s/Quinn Askew
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VERIFICATION

I, John Tschida, verify and declare under penalty of perjury as follows:

I am and have been a Special Agent for the Special Agent of the Internal Revenue Service, Criminal Investigation Division (IRS-CID), since 1995. I have read the foregoing Verified Complaint *In Rem* and know the contents thereof, and the matters contained in the Verified Complaint are true to my own knowledge, except that those matters not within my knowledge are alleged on information and belief, and I believe those matters to be true.

The sources of my knowledge and information and the grounds of my belief are the official files and records of the United States, information provided to me by other law enforcement agencies and officers, and information I have learned by reviewing reports prepared by other law enforcement agencies and officers, as well as my investigation of this case, together with others, as an IRS-CID Special Agent.

I hereby verify and declare under penalty of perjury that the foregoing is true and correct.

Dated: July 9, 2024

s/ John Tschida
John Tschida
Special Agent
Internal Revenue Service,
Criminal Investigation Division